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October 4, 1993

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Re: MM Docket No. 93-178  
Howard B. Dolgoff  
(File No. BPH-911223ME)

Dear Mr. Caton:

Submitted herewith for filing, on behalf of our client, Howard B. Dolgoff, an applicant in the above-referenced comparative hearing proceeding (MM Docket No. 93-178), are an original and six (6) copies of his Hearing Exhibits in the proceeding. Kindly refer this submission to Administrative Law Judge John M. Frysiak.

Please direct any inquiries concerning this submission to the undersigned.

Respectfully submitted,

KAYE, SCHOLER, FIERMAN, HAYS &  
HANDLERBy: 

Irving Gastfreund

Enclosures

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BEFORE THE  
**Federal Communications Commission**

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re Applications of	)	MM Docket No. 93-178
HOWARD B. DOLGOFF and	)	File No. BPH-911223ME
MARK AND RENEE CARTER	)	File No. BPH-911224MD
For a Construction Permit For a	)	
New FM Radio Station on Channel	)	
292A in Miramar Beach, Florida	)	

TO: Administrative Law Judge John M. Frysiak

HEARING EXHIBITS OF HOWARD B. DOLGOFF

Irving Gastfreund

Kaye, Scholer, Fierman, Hays &  
Handler

The McPherson Building  
901 15th Street, N.W.  
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His Attorneys

October 4, 1993

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**LEGAL STRUCTURE OF APPLICANT,**  
**INTEGRATION PROPOSAL, AND DIVERSIFICATION INFORMATION**

Howard B. Dolgoff ("Dolgoff") is an individual applicant for a construction permit for a new FM radio station on Channel 292A in Miramar Beach, Florida. Consequently, Mr. Dolgoff has 100 percent ownership and control of the applicant, is the only principal in the applicant, and will exercise total control over his proposed station.

To implement the control and direction of his proposed Miramar Beach station, in the event of a grant of Mr. Dolgoff's application for a construction permit for a new FM radio station in Miramar Beach, Florida (as proposed in this proceeding), Mr. Dolgoff intends to work full-time (i.e., a minimum of 40 hours per week, a minimum of 8 hours per day, a minimum of five days per week) as the General Manager of the proposed Miramar Beach radio station. As General Manager, Mr. Dolgoff will oversee and superintend the construction and operation of his proposed station and manage the business of the station on a day-to-day basis, and will supervise and be responsible for the overall operations of the station, including its programming, sales, promotional and internal administrative activities. Mr. Dolgoff will hire such department heads as he deems necessary and

appropriate and will oversee the hiring of other key station personnel. Sales, programming, engineering, public affairs and news department heads (to the extent that they are hired by Mr. Dolgoff) are to report directly to Mr. Dolgoff, who will have supervisory responsibility for all such aspects of station operations. As General Manager of the proposed station, Mr. Dolgoff will be responsible for coordinating the efforts of those department heads that he hires to ensure that the station operates efficiently and is responsive to community programming needs and interests. In his capacity as General Manager of the proposed station, Mr. Dolgoff will also have ultimate supervisory responsibility for all the station's personnel, finances and programming. In addition, as General Manager, Mr. Dolgoff will be responsible for administration and implementation of the station's Equal Employment Opportunity Program. In addition, as General Manager, Mr. Dolgoff will function as the station's primary representative and liaison to local community organizations and leaders, to the Miramar Beach community and to the proposed station's service area at large.

Mr. Dolgoff's commitment to full-time daily employment at his proposed new FM station, as described above, is absolute and without reservation and would take precedence over any other conflicting time requirements were any to arise. In this regard, Mr. Dolgoff presently is the President, Vice President, Treasurer, a Director, and the 100 percent stockholder of Dolcom,

Inc., licensee of Radio Station WUMX(FM) (formerly WTHZ(FM)), Tallahassee, Florida. Mr. Dolgoff also presently serves as General Manager of WUMX(FM). In the event of a grant of Mr. Dolgoff's instant application for a construction permit for a new FM station in Miramar Beach, Florida, Mr. Dolgoff intends to divest of his ownership interest in Dolcom, Inc., and to resign from all of his positions as an officer and director of Dolcom, Inc., and to resign from his position as General Manager of WUMX(FM) as well. Furthermore, in the event that Mr. Dolcom's instant application for a construction permit for a new FM radio station in Miramar Beach, Florida, is granted, Mr. Dolgoff's wife, Michelle Dolgoff, will also resign her present position as Secretary of Dolcom, Inc., as well as any other positions she may have with Dolcom, Inc., or with WUMX(FM). Moreover, in the event of grant of Mr. Dolgoff's Miramar Beach FM application, Mr. Dolgoff proposes to relocate his permanent address to Miramar Beach, Florida, in order to devote full-time service to the operation of his proposed station.

In light of all the foregoing, if Mr. Dolgoff's application for a construction for a new FM radio station in Miramar Beach, Florida, is granted, he intends to withdraw fully from all employment or business pursuits which require his time and attention, except for his employment as General Manager at his proposed Miramar Beach station. Consequently, there will be no conflict between Mr. Dolgoff's commitment to act as the full-

time General Manager of his proposed Miramar Beach, Florida, FM station and his current employment and business interests.

Other than his interests in Dolcom, Inc., and in Radio Station WUMX(FM), Tallahassee, Florida, as described above, and except for his interest in his instant Miramar Beach, Florida, FM application, Mr. Dolgoff has no other interests in any medium of mass communications.

Mr. Dolgoff is a Caucasian male.

Mr. Dolgoff claims comparative credit for past and present part-time residence in the community of Destin, Florida (a community which is contiguous to Miramar Beach, Florida) from November 1989 to the present; and his proposed future residence (full-time) in Miramar Beach, Florida, if his application is granted. In this connection, Mr. Dolgoff has resided at 5394 East Highway 98, Apartment 164, Destin, Florida 32541, on a part-time basis (on average approximately 5 - 10 days per month) from November 1989 to and including the present. As noted above, Mr. Dolgoff intends to move to Miramar Beach, Florida, if his application is granted. Mr. Dolgoff's main residence at present is at 3186 Ferns Glen Drive, Tallahassee, Florida 32308 - 2304.



Mr. Dolgoff also claims qualitative enhancement credit for his integration proposal for his previous broadcast experience. His previous broadcast experience has included the following:

1. August 1976 - September 1977: Financial Analyst, Westinghouse Broadcasting Co. (Group W), Headquarters Offices, New York, New York. Westinghouse Broadcasting Co. owns or controls a number of radio and television stations throughout the United States. In his capacity as a Financial Analyst with Westinghouse Broadcasting Co., Mr. Dolgoff was responsible for consolidating the accounting operations of Westinghouse Broadcasting Co. and reporting to its parent company, Westinghouse Electric Co. The primary areas of Mr. Dolgoff's responsibilities included preparation of cash reports, capital expenditure reports, expense analysis and monthly financial closings.
2. October 1977 - January 1980: Assistant Controller, Radio Station KFVB(AM), Los Angeles, California (Westinghouse Broadcasting Co.) Mr. Dolgoff had overall responsibility for the entire financial operation of Radio Station KFVB(AM), Los Angeles, California, including responsibility for managing two employees, supervising monthly accounting closings, and reporting to corporate headquarters of Westinghouse Broadcasting Co. Mr. Dolgoff was also involved in employee relations matters, including payroll, labor union contract interpretation, sales and expense analysis and reporting, and capital expenditure analysis reporting.
3. February 1980 - February 1983: Account Executive, Radio Station KJQY(FM), San Diego, California (Westinghouse Broadcasting Co.) Mr. Dolgoff served as a local sales Account Executive for Radio Station KJQY(FM) and sold both retail and advertising agency accounts.
4. March 1983 - April 1984: National Account Executive, Group W Radio Sales (Westinghouse Broadcasting Co.), New York, New York. Mr. Dolgoff's duties included serving as a national sales representative for the radio stations controlled by Westinghouse Broadcasting Co. Mr. Dolgoff's account list included the largest and most prestigious of New York advertising agencies.
5. May 1984 - December 1985: General Sales Manager, Radio Stations WCMO(AM), Miami Springs, Florida, and WCMO-

FM, Hialeah, Florida. In his capacity as General Sales Manager at WCMQ(AM) and WCMQ-FM (both of which operate in the Miami, Florida, radio market), Mr. Dolgoff was responsible for all local and national sales at the two stations. Mr. Dolgoff supervised the local sales staff at the stations, consisting of nine account executives; in addition, Mr. Dolgoff acted as station liaison for all national sales. Mr. Dolgoff was involved in strategic planning for programming and marketing on behalf of WCMQ(AM) and WCMQ-FM.

6. January 1986 - Present: General Manager, Radio Station WUMX(FM) (formerly WTHZ(FM)), Tallahassee, Florida. In his capacity as General Manager of Radio Station WUMX(FM) (formerly WTHZ(FM)), Mr. Dolgoff has had overall responsibility for all station operations, including sales, programming, marketing and financial matters. As General Manager of the station, Mr. Dolgoff has managed the station to become a significant radio force in the Tallahassee, Florida, radio market.
7. January 1986 - July 6, 1987: Vice President, Dolcom Broadcasting, Inc., licensee of Radio Station WTHZ(FM), Tallahassee, Florida (presently WUMX(FM)).
8. July 7, 1987 - August 22, 1989: Vice President and Director, Dolcom Broadcasting, Inc., licensee of Radio Station WTHZ(FM) (presently WUMX(FM)), Tallahassee, Florida.
9. August 23, 1989 - April 30, 1991: Vice President, Director and 40 percent stockholder of Dolcom Broadcasting, Inc., licensee of Radio Station WTHZ(FM) (presently WUMX(FM)), Tallahassee, Florida.
10. May 1, 1991 - Present: President, Vice President, Treasurer, Director and 100 percent stockholder of Dolcom, Inc., licensee of Radio Station WUMX(FM), Tallahassee, Florida.

**DECLARATION**

I, Howard B. Dolgoff, hereby declare, certify and state, under penalty of perjury, that the facts stated in the foregoing Exhibit 1 are true and correct to the best of my knowledge, information and belief. The foregoing Exhibit 1 is being sponsored by me for submission to the Federal Communications Commission in connection with MM Docket No. 93-178.

Howard B. Dolgoff

Howard B. Dolgoff

Executed on: 10-1-93



Howard B. Dolgoff  
MM Docket No. 93-178  
Exhibit 2  
Page 1

**AUXILIARY POWER FACILITIES**

Howard B. Dolgoff ("Dolgoff") intends to install and maintain auxiliary power generating facilities for his proposed Miramar Beach, Florida FM station, both at the proposed station's transmitter site and at the station's main studio location, to permit continuity of service by the station in the event of a loss of commercially-supplied electric power either at the station's transmitter site or at the station's main studio location.

**DECLARATION**

I, Howard B. Dolgoff, hereby declare, certify and state, under penalty of perjury, that the facts stated in the foregoing Exhibit 2 are true and correct to the best of my knowledge, information and belief. The foregoing Exhibit 2 is being sponsored by me for submission to the Federal Communications Commission in connection with MM Docket No. 93-178.

Howard B. Dolgoff

Howard B. Dolgoff

Executed on: 10-1-93

**CERTIFICATE OF SERVICE**

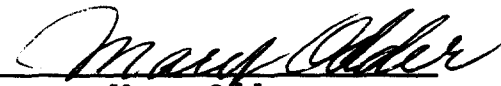
I, Mary Odder, a secretary with the law firm of Kaye, Scholer, Fierman, Hays & Handler, hereby certify that on this 4th day of October, 1993, have caused a copy of the foregoing Hearing Exhibits of Howard B. Dolgoff to be hand-delivered or to be sent via first-class United States mail, postage prepaid, to the following:

Honorable John M. Frysiak\*  
Administrative Law Judge  
Federal Communications Commission  
2000 L Street, N.W.  
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Washington, D.C. 20554

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\*/ Via Hand-Delivery